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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,430	12/15/2000	Jocelyn Cloutier	113592 (1014-087)	8766
26652	7590	07/10/2008		
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER CONTEE, JOY KIMBERLY	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			07/10/2008 PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/736,430

Applicant(s)

CLOUTIER ET AL.

Examiner

JOY K. CONTEE

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: 4/24/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 4/24/08 has been entered.

Claim Objections

2. Claims 13 and 15 are objected to because of the following informalities:
- Regarding claim 13, in line 7, "which ever" should be "whichever" as one word.
- Regarding claim 13, in line 8, "complimentary" should be "complementary".
- Regarding claim 13, in line 10, "the relative delay one half of a difference" is not clear. Should it be "the relative delay is one half of a difference"?
- Regarding claim 15, in line 7, "which ever" should be "whichever" as one word.
- Regarding claim 13, in line 8, "complimentary" should be "complementary".
- Regarding claim 13, in lines 9-10, "the relative delay one half of a difference" is not clear. Should it be "the relative delay is one half of a difference"?
- Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro et al. (Santoro), US 7,028,264, previously cited, in view of Guo et al. (Guo), US, 6,377,972, cited in Applicant's IDS filed 4/24/08.

Regarding claim s 13 and 14, Santoro discloses a system for synchronously delivering complementary data through a network, the system comprising: a control unit operable to measure a first delay time associated with a first complementary data stream delivered to a first device and second delay time associated with a second complementary data stream delivered to a second device (col. 22,line 53-col. 23,line 10 and col. 27,line 24-44 and col. 28,lines 30-40), the first device connected to the control unit through the network; and the second device connected to the control unit through the network, wherein the first device is a vehicle navigation system and wherein the complementary data includes navigational video data delivered to the first device and supplementary data (and/or audio data) delivered to the second device (col. 5,lines 18-63, col. 7,line 40- col. 8,line 33 and line 56 to col. 9,line 7 and col. 22,line 53-col. 23,line 10 and line 60- col .24,line 7 and col.28,lines 31-51).

Santoro fails to explicitly disclose synchronizing the first data complementary data stream and the second complementary data stream by introducing a relative delay

to whichever of the first complementary data stream and the second complementary data stream corresponds to a shorter delay time of the first delay time and the second delay time, the relative delay is one half of a difference between the first delay time and the second delay time.

In a similar field of endeavor, Guo discloses synchronizing the first data complementary data stream and the second complementary data stream by introducing a relative delay to whichever of the first complementary data stream and the second complementary data stream corresponds to a shorter delay time of the first delay time and the second delay time, the relative delay is one half of a difference between the first delay time (col. 4, lines 12-25 and col. 6, lines 33-50 and col. 8, line 55 to col. 9, line 53).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Santoro to disclose introducing a relative delay which is shorter than the first and second delay times, wherein the relative delay is $\frac{1}{2}$ of a difference between the first and second delay for the purpose of reducing response times and catch up time.

Regarding claim 15, Santoro discloses a system for synchronously delivering complementary data through a network, the system comprising: a control unit operable to measure a first delay time associated with a first complementary data stream delivered to a first device and second delay time associated with a second complementary data stream delivered to a second device (col. 22, line 53-col. 23, line 10 and col. 27, line 24-44 and col. 28, lines 30-40), the first device connected to the control unit through the network; and the second device connected to the control unit through

the network, wherein the complementary data includes video data delivered to the first device and subtitles delivered to the second device (col. 5, lines 18-63, col. 7, line 40- col. 8, line 33 and line 56 to col. 9, line 7 and col. 22, line 53- col. 23, line 10 and line 60- col. 24, line 7 and col. 28, lines 31-51).

Santoro fails to explicitly disclose synchronizing the first data complementary data stream and the second complementary data stream by introducing a relative delay to whichever of the first complementary data stream and the second complementary data stream corresponds to a shorter delay time of the first delay time and the second delay time, the relative delay is one half of a difference between the first delay time and the second delay time.

In a similar field of endeavor, Guo discloses synchronizing the first data complementary data stream and the second complementary data stream by introducing a relative delay to whichever of the first complementary data stream and the second complementary data stream corresponds to a shorter delay time of the first delay time and the second delay time, the relative delay is one half of a difference between the first delay time (col. 4, lines 12-25 and col. 6, lines 33-50 and col. 8, line 55 to col. 9, line 53).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Santoro to disclose introducing a relative delay which is shorter than the first and second delay times, wherein the relative delay is $\frac{1}{2}$ of a difference between the first and second delay for the purpose of reducing response times and catch up time.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOY K. CONTEE whose telephone number is (571)272-7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571.272.7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

/Joy K Contee/
Patent Examiner (PSA), Art Unit 2617